IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 9753 of 2004

Ekanath Vithal Patil .. Petitioner
V/s.
State of Maharashtra .. Respondents

Mr. R.D. Soni i/b. M/s. Ram & Co. for the Petitioner
Mr. S.R. Nargolkar, AGP. for the Respondent Nos. 1 to 3

CORAM : S. RADHAKRISHNAN &
SMT. V.K. TAHILRAMANI, JJ.
DATED : 20.12.2004.

P.C.:-

1. Rule. Rule made returnable forthwith. Heard the learned counsel for the Petitioner and the learned Additional Government Pleader for the Respondents. The learned counsel for the Respondents waives service. By consent, taken up for hearing.

2. By this Petition, the Petitioner is seeking a very limited relief, i.e. expeditious decision of the Petitioner's application under section 28A of the Land Acquisition Act.

3. The learned counsel for the Petitioner brought to our notice a judgment of this Court in First Appeal No. 1031 of 1987 dated 17.9.2004.

4. Under the aforesaid facts and circumstances, we direct the Respondent No. 2- Collector, Thane, to decide the aforesaid application under section 28A of the Land Acquisition Act, after taking into account our aforesaid judgment dated 17.9.2004, pertaining to the same notification in First Appeal No. 1031 of 1987. The

Respondent No. 2 shall decide the said application as expeditiously as possible, after affording an opportunity of personal hearing to the Petitioner, preferably within a period of three months from today. Rule is made absolute in the above terms.

(S. RADHAKRISHNAN, J.)

(SMT. V.K. TAHILRAMANI, J.)